

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

PRO GOLF OF AMERICA, INC.,

Plaintiff,

v.

FIFTH THIRD PROCESSING
SOLUTIONS, et al.,

Defendants.

CIVIL ACTION NO. 06-13986

DISTRICT JUDGE NANCY G. EDMUNDS

MAGISTRATE JUDGE DONALD A. SCHEER

**AMENDED ORDER GRANTING, IN PART,
PLAINTIFF'S MOTION TO COMPEL DISCOVERY
AND TO EXTEND DISCOVERY CUT OFF AND
GRANTING PLAINTIFF'S MOTION FOR
LEAVE TO FILE WITNESS LIST**

This matter having come before the Court based upon Plaintiff's Motion to Compel Discovery and to Extend Discovery Cut Off, Motion for Leave to File Witness List and Defendants' Motion to Dismiss;

The Court having heard oral argument; and

The Court being otherwise fully advised in the premises;

IT IS HEREBY ORDERED that Plaintiff's Motion to Compel is granted, in part. Defendants shall provide answers to Plaintiff's Interrogatories and Plaintiff's Request to Produce Numbers 1, 5, 6 and 7, only, within twenty-one (21) days of the date of this Order.

IT IS FURTHER ORDERED that discovery shall continue for thirty (30) days after Defendants provide written responses to Plaintiff's discovery requests.

IT IS FURTHER ORDERED that Plaintiff shall be permitted to take a total of four (4) depositions of Defendants' present or former employees and/or agents, and that

Defendants may depose the persons listed on Plaintiff's witness list.

IT IS FURTHER ORDERED that Plaintiff shall file a Witness List on September 14, 2007. At the risk of being sanctioned, Plaintiff's Witness List shall not be overly broad but shall instead list only those witnesses that Plaintiff will actually call to testify at trial.

A Report and Recommendation that Defendants' Motion to Dismiss be denied will be submitted to the district judge for the reasons discussed on the record.

s/Donald A. Scheer
DONALD A. SCHEER
UNITED STATES MAGISTRATE JUDGE

DATED: October 3, 2007

CERTIFICATE OF SERVICE

I hereby certify on October 3, 2007 that I electronically filed the foregoing paper with the Clerk of the Court sending notification of such filing to all counsel registered electronically. I hereby certify that a copy of this paper was mailed to the following non-registered ECF participants on October 3, 2007. **None.**

s/Michael E. Lang
Deputy Clerk to
Magistrate Judge Donald A. Scheer
(313) 234-5217